

TREATY SERIES No. **16**
OAS OFFICIAL RECORDS

OEA/Ser.X/2 (English)

INTER-AMERICAN PEACE TREATIES AND CONVENTIONS

**GENERAL SECRETARIAT
ORGANIZATION OF AMERICAN STATES
WASHINGTON, D.C.**



Signed at Buenos Aires, December 23, 1936

The Governments represented at the Inter-American Conference for the Maintenance of Peace;

Considering that, notwithstanding the pacts which have been concluded between them, it is desirable to facilitate even more recourse to peaceful methods for the solution of controversies,

Have resolved to celebrate a treaty of Good Offices and Mediation between the American Countries, and to this end have named the following Plenipotentiaries:

Argentina: Carlos Saavedra Lamas, Roberto M. Ortíz, Miguel Angel Cárcano, José María Cantilo, Felipe A. Espil, Leopoldo Melo, Isidoro Ruiz Moreno, Daniel Antokoletz, Carlos Brebbia, César Díaz Cisneros.

Paraguay: Miguel Angel Soler, J. Isidro Ramírez.

Honduras: Antonio Bermúdez M., Julián López Pineda.

Costa Rica: Manuel F. Jiménez, Carlos Brenes.

Venezuela: Caracciolo Parra Pérez, Gustavo Herrera, Alberto Zérega Fom-bona.

Peru: Carlos Concha, Alberto Ulloa, Felipe Barreda Laos, Diómedes Arias Schreiber.

El Salvador: Manuel Castro Ramírez, Maximiliano Patricio Brannon.

México: Francisco Castillo Nájera, Alfonso Reyes, Ramón Beteta, Juan Manuel Alvarez del Castillo.

Brazil: José Carlos de Macedo Soares, Oswaldo Aranha, José de Paula Rodrigues Alves, Helio Lobo, Hildebrando Pompeu Pinto Accioly, Edmundo da Luz Pinto, Roberto Carneiro de Mendonça, Rosalina Coelho Lisbos de Miller, Maria Luiza Bittencourt.

Uruguay: José Espalter, Pedro Manini Ríos, Eugenio Martínez Thedy, Juan Antonio Buero, Felipe Ferreiro, Andrés F. Puyol, Abalcázar García, José G. Antuña, Julio César Cerdeiras Alonso, Gervasio Posadas Belgrano.

Guatemala: Carlos Salazar, José A. Modrano, Alfonso Carrillo.

Nicaragua: Luis Manuel Debayle, José María Moncada, Modesto Valle.

Dominican Republic: Max Henríquez Ureña, Tulio M. Cestero, Enrique Jiménez.

Colombia: Jorge Soto del Corral, Miguel López Pumarejo, Roberto Urdaneta Arbeláez, Alberto Lleras Camargo, José Ignacio Díaz Cranados.

Panama: Harmodio Arias M., Julio J. Fábrega, Eduardo Chiari.

United States of America: Cordell Hull, Sumner Welles, Alexander W. Weddell, Adolf A. Berle, Jr., Alexander F. Whitney, Charles G. Fenwick, Michael Francis Doyle, Elise F. Musser.

Chile: Miguel Cruchaga Tocornal, Luis Barros Borgoño, Félix Nieto del Río, Ricardo Montaner Bello.

Ecuador: Humberto Albornoz, Antonio Pons, José Gabriel Navarro, Francisco Guarderas, Eduardo Salazar Gómez.

Bolivia: Enrique Finot, David Alvéstegui, Eduardo Diez de Medina, Alberto Ostría Gutiérrez, Carlos Romero, Alberto Cortadellas, Javier Paz Campero.

Haiti: H. Pauleus Sannon, Camille J. León, Elie Lescot, Edmé Manigat, Pierre Eugène de Lespinasse, Clément Magloire.

Cuba: José Manuel Cortina, Ramón Zaydin, Carlos Márquez Sterling, Rafael Santos Jiménez, César Salaya, Calixto Whitmarsh, José Manuel Carbonell.

Who after having deposited their full powers, found to be in good and due form, have agreed as follows:

ARTICLE 1. When a controversy arises between them, that cannot be settled by the usual diplomatic means, the High Contracting Parties may have recourse to the good offices or mediation of an eminent citizen of any of the other American countries, preferably chosen from a general list made up in accordance with the following article.

ARTICLE 2. To prepare the aforementioned list, each Government, as soon as the present treaty is ratified, shall name two citizens selected from among the most eminent by reason of their high character and juridical learning.

The designations shall immediately be communicated to the Pan American Union, which shall prepare the list and shall forward copies thereof to the contracting parties.

ARTICLE 3. According to the hypothesis set forth in Article 1, the countries in controversy shall, by common agreement, select one of the persons named on this list, for the purposes indicated in this treaty.

The person selected shall name the place where, under his chairmanship, one duly authorized representative of each of the parties shall meet in order to seek a peaceful and equitable solution of the difference.

If the parties are unable to agree concerning the selection of the person lending his good offices or mediation, each one shall choose one of those named on the list. The two citizens chosen in this way shall select, from among the names listed, a third person who shall undertake the functions referred to, endeavoring, in so far as possible, to make a choice that shall be acceptable to both parties.

ARTICLE 4. The mediator shall determine a period of time, not to exceed six nor be less than three months for the

parties to arrive at some peaceful settlement. Should this period expire before the parties have reached some solution, the controversy shall be submitted to the procedure of conciliation provided for in existing inter-American agreements.

ARTICLE 5. During the procedure established in this Treaty each of the interested parties shall provide for its own expense and shall contribute equally to common costs or honoraria.

ARTICLE 6. The present Treaty shall not affect obligations previously entered into by the High Contracting Parties by virtue of international agreements.

ARTICLE 7. The present Treaty shall be ratified by the High Contracting Parties in conformity with their respective constitutional procedures. The original instrument shall be deposited in the Ministry of Foreign Affairs of the Argentine Republic which shall transmit authentic certified copies to the Governments for the aforementioned purpose of ratification. The instruments of ratification shall be deposited in the archives of the Pan American Union in Washington, which shall notify the signatory governments of said deposit. Such notification shall be considered as an exchange of ratifications.

ARTICLE 8. The present Treaty will come into effect between the High Contracting Parties in the order in which they deposit their respective ratifications.

ARTICLE 9. The present Treaty shall remain in effect indefinitely but may be denounced by means of one year's notice given to the Pan American Union, which shall transmit it to the other signatory Governments. After the expiration of this period the Treaty shall cease in its effects as regards the Party which denounces it, but shall remain in effect for the remaining High Contracting Parties.

IN WITNESS WHEREOF, the above

mentioned Plenipotentiaries sign the present Treaty in English, Spanish, Portuguese and French, and hereunto affix their respective seals, at the City of Buenos Aires, Capital of the Argentine Republic, on the twenty-third day of the month of December, 1936.

Argentina: CARLOS SAAVEDRA LAMAS, ROBERTO M. ORTIZ, MIGUEL ANGEL CÁRCANO, FELIPE A. ESPIL, LEOPOLDO MELO, ISIDORO RUIZ MORENO, DANIEL ANTOKOLETZ, CARLOS BREBBIA, CÉSAR DÍAZ CISNEROS.

Paraguay: MIGUEL ANGEL SOLER, J. ISIDRO RAMÍREZ.

Honduras: ANTONIO BERMÚDEZ M., JULIÁN LÓPEZ PINEDA.

Costa Rica: MANUEL F. JIMÉNEZ, CARLOS BRENES.

Venezuela: CARACCILO PARRA PÉREZ, GUSTAVO HERRERA, ALBERTO ZÉREGA FOMBONA.

Peru: CARLOS CONCHA, ALBERTO ULLOA, FELIPE BARRERA LAOS, DIÓMEDES ARIAS SCHREIBER.

El Salvador: MANUEL CASTRO RAMÍREZ MAXIMILIANO PATRICIO BRANNON.

México: FRANCISCO CASTILLO NÁJERA, ALFONSO REYES, RAMÓN BETETA, JUAN MANUEL ALVAREZ DEL CASTILLO.

Brazil: JOSÉ CARLOS DE MACEDO SOARES, OSWALDO ARANHA, JOSÉ DE PAULA RODRÍGUES ALVES, HELIO LOBO, HILDEBRANDO POMPEU PINTO ACCIOLY, EDMUNDO DA LUZ PINTO, ROBERTO CARNEIRO DE MENDONÇA, ROSALINA COELHO LISBOA DE MILLER, MARIA LUIZA BITENCOURT.

Uruguay: PEDRO MANINI RÍOS, EUGENIO MARTÍNEZ THEDY, FELIPE FERREIRO, ABALCÁZAR GARCÍA, JULIO CÉSAR CERDEIRAS ALONSO, GERVASIO POSADAS BELGRANO.

Guatemala: CARLOS SALAZAR, JOSÉ A. MEDRANO, ALFONSO CARRILLO.

Nicaragua: LUIS MANUEL DEBAYLE,

JOSÉ MARÍA MONCADA, MODESTO VALLE.

Dominican Republic: MAX HENRÍQUEZ UREÑA, TULIO M. CESTERO, ENRIQUE JIMÉNEZ.

Colombia: JORGE SOTO DEL CORRAL, MIGUEL LÓPEZ PUMAREJO, ROBERTO URDANETA ARBELÁEZ, ALBERTO LLERAS CAMARGO, JOSÉ IGNACIO DÍAZ CRANADOS.

Panama: HARMODIO ARIAS M., JULIO J. FÁBREGA, EDUARDO CHIARI.

United States of America: CORDELL HULL, SUMNER WELLES, ALEXANDER W. WEDDELL, ADOLF A. BERLE, JR., ALEXANDER F. WHITNEY, CHARLES G. FENWICK, MICHAEL FRANCIS DOYLE, ELISE F. MUSSER.

Chile: MIGUEL CRUCHAGA TOCORNAL, LUIS BARROS BORGOSÑO, FÉLIX NIETO DEL RÍO, RICARDO MONTANER BELLO.

Ecuador: HUMBERTO ALBORNOZ, ANTONIO PONS, JOSÉ GABRIEL NAVARRO, FRANCISCO GUARDERAS.

Bolivia: ENRIQUE FINOT, DAVID ALVÉSTEGUI, CARLOS ROMERO.

Haiti: H. PAULEUS SANNON, CAMILLE J. LEÓN, ELIE LESCOT, EDMÉ MANIGAT, PIERRE EUGÈNE DE LESPINASSE, CLÉMENT MAGLOIRE.

Cuba: JOSÉ MANUEL CORTINA, RAMÓN ZAYDIN, CARLOS MÁRQUEZ STERLING, RAFAEL SANTOS JIMÉNEZ, CÉSAR SALAYA, CALIXTO WHITMARSH, JOSÉ MANUEL CARBONELL.

RESERVATIONS MADE AT THE
TIME OF RATIFICATION

Honduras:

El Gobierno de Honduras consigna su reserva en el sentido de que en el Arbitraje no habrá más excepciones que los casos que hayan sido resueltos por aquel medio; y que las disposiciones de la presente Convención no serán aplicables a los asuntos o controversias pendientes

ni a los que se promuevan en lo sucesivo sobre hechos anteriores a la fecha en que esta Convención entre en vigor.

[Translation]

Honduras formulates a reservation in the sense that there shall be no exceptions to arbitration, except questions

already settled by that procedure, and that the provisions of this Convention may not be applied to pending matters or controversies, nor to those which may arise in the future concerning events which take place before the Convention enters into effect.

INTER-AMERICAN TREATY ON GOOD OFFICES AND MEDIATION

Signed at Buenos Aires, December 23, 1936, at the Inter-American Conference for the Maintenance of Peace

SIGNATORY COUNTRIES	DATE OF DEPOSIT OF THE INSTRUMENT OF RATIFICATION
Argentina	
Bolivia	
Brazil	April 11, 1938
Chile	July 28, 1938
Colombia	May 23, 1938
Costa Rica	June 27, 1939
Cuba	March 1, 1938
Dominican Republic	June 5, 1937
Ecuador	October 19, 1937
El Salvador	April 1, 1938
Guatemala	August 23, 1938
Haiti	September 10, 1938
Honduras	August 3, 1938 ¹
Mexico	December 23, 1937
Nicaragua	April 29, 1938
Panama	December 13, 1938
Paraguay	
Peru	
United States	July 29, 1937
Uruguay	
Venezuela	

I. With a reservation.

The original instrument is deposited with the Ministry of Foreign Affairs of Argentina. The Pan American Union is depository of the instruments of ratification. It came into force on July 29, 1937, when the second ratification was deposited by the United States.

It was superseded by the American Treaty on Pacific Settlement (Pact of Bogotá), 1948, continuing in effect, however, among the States that have not ratified the Pact of Bogotá.